

SCHIFF HARDIN LLP

Donald A. Klein (DK7821)
623 Fifth Avenue
New York, NY 10022
(212) 753-5000

Of Counsel:
John N. Scholnick
Ayad P. Jacob
6600 Sears Tower
Chicago, IL 50505
(312) 258-5500

Attorneys for Defendants
Schreiber & Zindel Treuhand Anstalt,
Frank O. Zindel, Engelbert Schreiber, Sr.
and Engelbert Schreiber, Jr.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
---	-------------------------------

This document relates to:

Estate of O'Neill, et al. v. The Republic of Iraq, et al., Case No. 04 CV 1076 (RCC)
(S.D.N.Y.)

Estate of O'Neill, et al. v. Al Baraka, et al., Case No. 04 CV 1923 (RCC) (S.D.N.Y.)

**DECLARATION OF ENGELBERT SCHREIBER, SR. IN SUPPORT OF THE MOTION
TO DISMISS OF SCHREIBER & ZINDEL TREUHAND ANSTALT, FRANK O.
ZINDEL, ENGELBERT SCHREIBER, SR., AND ENGELBERT SCHREIBER, JR.**

Engelbert Schreiber, Sr. declares and states:

1. I am a citizen of the Principality of Liechtenstein, and reside at Kirchstrasse 39, Vaduz, Liechtenstein. I am 70 years old.

2. I make this Declaration in support of the Motion to Dismiss the O'Neill Plaintiffs' Second Amended Complaints in each of the above-referenced actions against Defendants, Schreiber & Zindel Treuhand Anstalt, Frank O. Zindel, Engelbert Schreiber, Sr., and Engelbert Schreiber, Jr.

3. I have personal knowledge of the matters set forth in my Declaration and would testify to them, if called as a witness in any proceeding.

4. Following secondary school, I successfully completed a bank apprenticeship. Thereafter, I joined the Liechtenstein Landesbank in 1954. While I was there I advanced to a number of management positions, ultimately obtaining general signatory authority for the bank. In 1967 I became the representative of Zurich Insurance Company for its business in Liechtenstein. At the same time I founded my own trust company in Liechtenstein. Since 1986 I have also been associated with Zurich Insurance as an independent agent.

5. I am a founder and principal of Schreiber & Zindel Treuhand Anstalt ("Schreiber & Zindel"). This firm was organized under the laws of Liechtenstein in 1990. I am authorized to act for the firm under certain circumstances. I understand that Frank Zindel has submitted a Declaration in connection with this lawsuit that describes the firm and its business activities.

6. Prior to the formation of Schreiber & Zindel I have been involved, either as an employee or as a principal, in other similar firms in Liechtenstein, which have been engaged in similar business activities.

7. I have not come to the United States in connection with any business.

8. I have visited the United States while on vacation on two separate occasions; first in 1978 and then in 1986.

9. On my behalf I have never directly or through an agent:

- (a) solicited, operated, conducted, or carried on business in the State of New York or anywhere else in the United States;
- (b) had or maintained an office or place of business in the State of New York or anywhere else in the United States;
- (c) employed or authorized an agent or employee to transact business within the State of New York or anywhere else in the United States on my behalf;
- (d) entered into any contracts to be performed in the State of New York or anywhere else in the United States;
- (e) received or contracted to receive services to be performed in the State of New York or anywhere else in the United States (but for the retention of Schiff Hardin LLP for this litigation);
- (f) owned, leased, used or possessed any real estate or other personal property within the State of New York or anywhere else in the United States;
- (g) invested in the State of New York or anywhere else in the United States (other than investments in the securities of public companies I may have made);
- (h) maintained any bank or brokerage accounts in the State of New York or anywhere else in the United States;

RR

- (i) filed any tax returns in the State of New York or anywhere else in the United States;
- (j) been licensed or registered to do business in the State of New York or anywhere else in the United States;
- (k) filed any suit in any court or availed myself of any right to commence legal action in the State of New York or anywhere else in the United States;
- (l) been subject or submitted to the jurisdiction of any court in the State of New York or anywhere else in the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 20, 2005



Engelbert Schreiber, Sr.